

Before the FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554

In the Matter of 2002 Biennial Regulatory Review -  
Review of the Commission's Broadcast Ownership Rules  
and Other Rules Adopted Pursuant to Section 202  
of the Telecommunications Act of 1996,  
Notice of Proposed Rulemaking,  
MM Docket No. 02-277, (rel. Sept. 23, 2002)

To: The Secretary, FCC Commissioners, and Chief, Media Bureau

I am writing to you today to comment on Docket No. 02-277, the Biennial Review of the FCC's broadcast media ownership rules. In promoting its supposed goals of fair competition, diversity and local voice in today's media market, I strongly believe that the FCC should retain all of the current media ownership rules now in question. These rules serve the public interest by limiting the market power of the huge, dominant companies and players in the broadcast industry.

I do not believe that the studies commissioned by the FCC accurately demonstrate, or even attempt to demonstrate, the negative effects that media deregulation and consolidation have had on the diversity of our media. While there may indeed be more sources of media than ever before, the spectrum of views presented has been severely limited.

The right to conduct an informed debate and discussion of current events is part of the founding philosophy of our nation. Our forefathers believed that democracy was renewed in the marketplace of diverse ideas. If the FCC allows our media outlets to merge and consolidate further, our ability to have an open, informed discussion from a wide variety of viewpoints will be compromised.

I urge the FCC to preserve the public interest by keeping the media ownership rules in question intact.

Also, I support the FCC's plan to hold a public hearing on this matter in Richmond, VA in February of 2003. I strongly encourage the Commission to hold similar hearings in all parts of the country and solicit the widest possible participation from the public, and to give adequate time to all parties to submit written commentary, as well. The rarified, lawyerly atmosphere of an FCC rulemaking is not an appropriate decision-making venue when questions as profound as the freedom of our media are at stake. I encourage the Commissioners to come out and meet some of the people who do not have a financial interest in this issue, but a social interest.

With the serious impact these rule changes will have on our democracy, it is important that the Commission take the time to review these issues more thoroughly and allow the American people to have a meaningful say in the process.

I would also suggest an independent investigation of the disparity in rules and regulations, fees, royalties, and user demographics reporting requirements covering over-the-air radio broadcasters as compared with those recently imposed on webradio broadcasters. The current regulations and fee structures in place for webradio broadcasters are prohibitively expensive for those that do NOT charge for or profit from their radio

stations (when added to ASCAP and other organizations' requirements, a typical webcaster can expect to pay in excess of \$2,000.00 just in fees and permits). Why are webcasters being required to pay a per song royalty fee to artists when over-the-air broadcasters (who are typically paid by record labels to play their music) have no such requirement? I suggest a serious, in-depth investigation is called for, and I urge you to see to it that webcasters are not unfairly regulated out of existence. You can read more of my views on this specific issue at <http://www.3dvrweb.com/> article entitled "Why Music Sucks Today" (pardon the title).

Thank you,

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